

An advertisement writer should be like a widow—he should know enough not to know too much.—Rusty Mike's Diary.

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The advertiser who buys space in mediums of fake circulation like the hen who hatches the duckling learns the difference too late.—Rusty Mike's Diary.

## JEROME AND DELMAS HOT LEGAL DEBATE

### District Attorney Makes Accusations and the Californian Takes Exceptions.

#### New Jersey Alienist Declares Thaw Was Insane at the Time of the Tragedy.

New York, Feb. 12.—District Attorney Jerome and Delmas today in the first serious clash between counsel in the Harry K. Thaw trial. The California attorney, who is directing the defense, took exception to certain statements of the prosecuting officer and had inserted in the record of the case a protest against "the misconduct of the learned district attorney."

Mr. Jerome hotly accused Mr. Delmas of trying to instill into the minds of the jury the implied suggestion that the operation performed on Evelyn Nesbit in 1905, before Thaw took her to Europe, was "of a criminal nature," when "as a matter of fact," he said, "it was for appendicitis."

Mr. Delmas called the attention of Justice Fitzgerald to this, saying that the district attorney was stating facts not in evidence, and that a "very serious exception must be taken to his remarks."

"Send the jury out of the room if you want to," exclaimed Mr. Jerome, "but I am going to have these false impressions fostered before this jury."

Dr. Britton D. Evans, superintendent of the state hospital for the insane at Morris Plains, N. J., was testifying at the time of the disagreement. He had declared he was of the opinion that Harry K. Thaw was insane at the time of the tragedy. He had been called upon to answer a long, hypothetical question, in which reference had been made to "a serious if not capital operation" on Miss Nesbit, when the storm broke.

Jerome Wrought Up; Delmas Calm.

Mr. Jerome seemed thoroughly wrought up; Mr. Delmas did not for a moment lose his calm demeanor, but he gave emphasis and force to his words to his hearers. Jerome said he would withdraw the objection to the term "capital operation." If Mr. Delmas would give him the word of counsel that he did not know the nature of the operation, Mr. Delmas gave his word that he did not know of its nature.

"But you may consult with counsel," suggested Mr. Jerome.

"I do not care to do that," replied Mr. Delmas. "It is not essential."

"Ah," cried the district attorney in a loud voice, "then you do want to make this insinuation?"

Delmas Showed Feeling.

"The district attorney strangely forgets his character and position when he charges me with an attempt to deceive," retorted Mr. Delmas with more feeling in his voice than at any time during the trial. "He must, upon deliberation, see the injustice of his implied insinuation."

"I see injustice plainly," replied Mr. Jerome, "but not in my remarks."

Justice Fitzgerald did not rule out the district attorney's remarks before the jury, but Mr. Delmas took care to have every exception he made "seriously noted."

Mr. Jerome won his point, and the words "serious, if not capital," as de-

fining the operation, were withdrawn by Mr. Delmas.

**Evelyn's Mother Told Him.**

During the tilt Mr. Delmas asked the district attorney how he learned of the character of the operation upon Miss Nesbit without violation of a confidence. Mr. Jerome said he had been told of it by Miss Nesbit's mother, Mrs. Holman, of Pittsburgh. It thus became known for the first time that the district attorney is in possession of a long statement by Mrs. Holman.

**Real Expert on the Stand.**

Dr. Evans was questioned all day, occupying nearly two hours of the afternoon session in a perusal of the letters written by Harry Thaw at the time of his estrangement with Miss Nesbit.

Dr. Evans was by far the most satisfactory expert witness to the defense to far produced. He detailed to the jury his observations and examinations of Harry Thaw during his eight visits to the prisoner in the Tombs, and declared it to be his opinion that Thaw was suffering from "a brain storm or an explosive or fulminating condition of mental unsoundness" at the time he shot and killed White.

Dr. Evans gave many and elaborate reasons for his opinion, and during his examination Mr. Delmas deftly brought out the fact that, whereas Thaw was suffering from "storm and stress" when the alienist first visited him in August last, his condition had shown steady and gradual improvement until on Oct. 8, when Thaw was "more composed and deliberate."

**Symptoms of Insanity.**

Dr. Evans declared that the mental explosion which induced Thaw to kill Stanford White had left its traces on the defendant when he first visited him. He said Thaw exhibited symptoms of paranoia and delusion. The first was indicated by his "exaggerated ego," the idea of his supreme importance. The adolescent insanity was due to heredity, and is characteristic of the development period of life—from 10 to 40 years.

Thaw's mind, Dr. Evans said, had slipped its moorings and was like a ship without a rudder. Ordeals of stress had added their work to the psychopathic taint which came from heredity. Dr. Evans said that after his first three visits to Thaw following the tragedy he was convinced that the man was insane and should be confined. The result of his last visits he found that while still suffering from a somewhat exaggerated opinion of self importance, he was much improved. The improvement was progressive.

**Thaw Now Normal.**

This testimony was brought out in the health of the attention of the defense that, while Thaw was insane prior to and at the time of the homicide, he has improved to a sound condition of mental following the removal of the cause of the strain.

Dr. Evans may be cross-examined tomorrow, although District Attorney Jerome had not indicated his course. It may be that Mr. Delmas will recall Mr. Thaw to continue her story, now that expert witnesses have testified as to Thaw's insanity prior to the tragedy. The defense has other alienists, however, who may be called to testify.



## PLUMBERS' TRUST SMOOT TO GET SANTO DOMINGO AIDED IN COURT TELLER'S VOTE TREATY SENT IN

### Albert T. Lawrence, Who Was Put Out of Business, Seeks Damages. Colorado, Senator Asks That a Roosevelt Would Like Authority to Act as Collector of Bad Debts.

(Special to The Herald.)

Washington, Feb. 12.—Senator Teller, who is absent from the senate on account of illness, and may not be able to resume active duties again this session, today gave notice that if present he would vote for the retention of Smoot, and if absent he wished to be paired accordingly.

The legal side of the Smoot case is beginning to have the serious attention of senators, and at least three speeches will be delivered upon constitutional and parliamentary phases of the case before a vote is taken. These will be by Senators Knox and Sutherland in favor of Smoot, and by Burrows against him. The intention of Smoot to speak in his own behalf has not been changed, although his speech will be more in the nature of statements and conditions from his viewpoint than an argument.

Inquiry at the war department today concerning the court-martial of Captain Haight at Fort Douglas, which was held in Washington concerning it. The matter is considered entirely local, and until the result is reported to the department there will be no official knowledge of it here.

Senator Smoot's bill authorizing the city council of Salt Lake to construct a boulevard through Fort Douglas military reservation passed the senate yesterday.

**LABOR MASS MEETINGS.**

Texas Union Men Take Up the Fight of Moyer and Haywood.

Waco, Tex., Feb. 12.—Mass meetings are being called by the labor councils, in which all labor unions in the various cities of this state, to protest against the imprisonment of Moyer, Haywood and Pettibone, who have been in prison a year in Idaho, charged with the murder of former Governor Steunenberg of Idaho.

Union men here allege that the men are being illegally restrained of their liberty and that a conspiracy exists to keep the men from having a trial.

**CONFERENCE TODAY.**

Washington, Feb. 12.—Another conference between the president and Mayor Schmitz and his associates of San Francisco upon the Japanese school question will be held at the White House at 2:45 o'clock tomorrow afternoon. At the mayor yesterday intimated that the next meeting would be held at the pleasure of the president, the presumption is that the conference scheduled for tomorrow is at the president's initiation.

**HIS LAST EFFORT.**

Washington, Feb. 12.—Senator Patterson today introduced a bill providing for the acquisition of railroads by the government. The bill was ordered to lie on the table, and it is expected the Colorado senator will address the senate concerning it.

## NEARLY TWO HUNDRED PRECIOUS LIVES LOST

### Steamer Larchmont Struck by Schooner and Sinks in Block Island Sound.

#### Half-Naked Passengers Soon Succumb to the Cold and Sink Beneath Icy Waves.

Block Island, R. I., Feb. 12.—About 150 persons went to their death in Block Island sound last night as a result of a collision of the three-masted schooner Harry Knowlton and the Joy line steamer Larchmont, bound from Providence to New York. It is estimated that, including the crew, there were nearly 200 persons on board the steamer when she sailed from Providence. Of these, only fifteen appear to have survived the disaster, ten members of the crew and nine passengers. Forty-eight bodies have been recovered. Following is a partial list of the victims:

**Passengers.**

R. F. Perkins, Boston.  
H. Hultgren, Boston.  
Antonio Anetelli, Providence.  
Ricard.  
Joseph Mulligan, Woonsocket, R. I.  
Rev. Philip Murillo, pastor Italian M. E. church, Providence, R. I.  
Frank Lewison, Providence.  
Harry Feldman and wife, Providence.  
Samuel Paul and wife, Pawtucket, R. I.  
Pauline Paul.  
Matilda Paul.  
Claude W. Lynd, Providence.  
Fred S. Mooney, East Providence.  
John Lewis, Providence.  
John Campbell, North Smithfield, R. I.  
Jacob Bonce, Providence.  
Harry Bonce, Providence.  
Mrs. T. Jensen, Providence.  
Fred Ellshire, Providence.  
Captain Richard Swan, Salvation Army, Worcester.  
Lieutenant John Molin, of same corps.  
Miss Emma Brookland, same corps.  
Miss Alma Johnson, same corps.  
Miss Anna Oden, same corps.  
Evan Chrytolow, Providence.  
J. D. Pittam, Providence.  
James McClelland and wife, Providence.  
Benjamin Steiner, Providence.  
Benjamin Winkler, Providence.  
Stephen E. Hedges, Providence.  
Koren Korajian and wife, Olneyville, R. I.  
Robert Bigard, Worcester.  
Claude E. Reed, Providence.  
Willard Franklin, North Attleboro, Mass.  
Emanuel Lyon, New York.  
Dr. Frank Wilson, Providence.  
Benjamin Cohen, Providence.  
Mrs. Mackay, Woonsocket.  
Ephraim Kaitan, New York.  
Mrs. Jennie Shugartman, Boston.  
Miss Bertha Shalin, Boston.  
Morris Balmholz, Boston.  
Jacob Michaelson, Belmar, N. J.  
Sadie Michaelson, Belmar, N. J.

**Officials and Crew.**

First Mate E. J. Hazard, Providence.  
Chief Engineer Robert Gay, Bridgeport.  
Pilot George Wynn, Taunton.  
First Assistant Engineer Jasper Heat, Albany.  
Second Assistant Engineer Herrick, Providence.  
Steward J. B. Harris, Providence.  
Porter Volchinn Tchurur, New York.  
Waiter George Smith, Providence.  
John Scott, Providence.  
Osborne, Providence.  
Stewardess Mrs. Louisa Scorgan, Providence.  
Deck Hand Antony Heidt, New York.  
Deck Hand Frank Riley, New York.

**One Killed Himself.**

Awakened from their slumbers in their quarters, the unfortunate passengers were at the mercy of the fate. Many it is believed, went down with the ship. Others, temporarily thankful that they had escaped drowning, prayed that they might be relieved of the terrible pain caused by their frozen bodies, and one of these, a young man, plunged a knife into his throat and ended his suffering.

The few who survived were in pitiful condition. In almost every case their arms and legs hung helplessly as they were lifted out of the boats in which they reached shore. During the day forty-eight bodies came ashore, and were buried in the cemetery, either in the morning or in the afternoon.

**Bodies Identified.**

Only six of the forty-eight bodies were identified. The bodies identified were: Steward James B. Harrison, Brooklyn, N. Y.; First Assistant Engineer Jasper Heat, Albany; Assistant Engineer Edward Logan, Providence; First Watchman Jacob Zandrus, Paterson, N. J.; Walter George Smith, Providence; Harry Eckles, Block Island.

An investigation will be made by the United States steamboat inspectors of the Providence district.

It was impossible to get from the estimate of the loss of life. From 150 to 175 persons went to their death, and at a late hour tonight it was believed that the latter figures are nearer correct.

**Many Are Missing.**

The steamship officials estimate that about 150 passengers and a crew of fifty were on board the steamer when she left Providence last night. Forty-eight bodies reached these shores today, and nineteen were alive when taken from the lifeboats. There are still 138 persons to be accounted for. The only positive evidence of the steamer's victims is lying at the bottom of Block Island sound. The list of passengers and crew, handed to the purser just before the steamer left Providence, was locked in a safe and was not recovered.

**Different Stories Told.**

The cause of the accident has not been satisfactorily explained. It occurred just off Watch Hill about 11 o'clock last night, when the three-masted schooner Harry Knowlton, bound from South Amboy for Boston with a cargo of coal, crashed into the steamer's port side amidships. Captain George McVoy of the Larchmont declares that the Knowlton suddenly swerved from her course, luffed up into the wind and crashed into his vessel.

Captain Haley of the Knowlton asserts that the steamer did not give his vessel sufficient sea room.

The steamer, with a huge hole torn in her side, was so seriously damaged that no attempt was made to run for shore, and she sank to the bottom in less than half an hour. The Knowlton, after she had backed away from the wreck, began to fill rapidly, but her crew manned the pumps and kept her afloat until she reached a point off Quonochontowaug, where they put out in the lifeboat and rowed ashore. There were no fatalities on the schooner.

**Passengers Had Retired.**

A majority of those aboard the Larchmont had retired for the night, and when the collision occurred there were few, with the exception of the crew, prepared for the weather which prevailed. They hurried from the warm staterooms to the deck of the steamer and into a zero atmosphere.

Chilled to the bone, many rushed headlong below to secure more clothing; while others, bareheaded and clad only in nightgowns, stood on the deck, fearing that to go below would mean certain death.

It now appears certain that the loss of life was heavier among those who had retired for the night. Despite the efforts which were made to leave the boat, it would appear to be impossible that of the 200 souls on board none were left behind. Those who have had opportunity to clothe themselves succumbed long before they reached shore, and even those who were fortunate enough to be fully dressed endured suffering of a most serious nature.

#### DETAILS OF DISASTER. Vessel Filled and Went Down Within Ten Minutes.

Block Island, R. I., Feb. 12.—The Larchmont left her dock in Providence last night with a heavy cargo of freight and a passenger list estimated from 150 to 200. A strong northwest wind was blowing as the steamer started her way down through the eastern passage of Narragansett bay, but the full effect of the gale which was blowing out in the sound was not felt until the Larchmont rounded Point Judith.

Captain George McVoy was preparing to retire after a turn around his ship, when he was startled by several blasts of the steamer's whistles. He rushed into the pilot house, where the pilot and quartermaster posted out a three-masted schooner sailing eastward before a strong wind.

**Heeded Straight for Steamer.**

The schooner, which proved to be the Harry Knowlton, coal-laden from South Amboy for Boston, had been bowling along on her course, when she suddenly luffed up and head straight for the steamer. Again several blasts were sounded on the steamer's whistles, the pilot and the quartermaster at the same moment ordering their wheel hard about in a mad endeavor to avert a collision.

As the steamer was slowly veering around the schooner came on with a speed that almost seemed to equal the rate at which she was pushing her toward Boston.

Before another warning could be sounded, the schooner crashed into the port side of the Larchmont, and the impact of the big vessel was so terrific that the big, clumsy bow of the sailing craft forced its way through more than half the breadth of the Larchmont. When the force of the impact had been spent the schooner temporarily remained fast in the steamer's side, holding in check for a moment the rushing water. The pounding sea soon separated the vessels, however, and the water rushed into the gaping hole in the steamer with a tremendous velocity.

**Passengers in Wild Panic.**

As the water struck the boiler room great clouds of steam arose, and the passengers were first under the impression that a fire had broken out on board.

Captain McVoy could not communicate with his subordinate officers below deck, the signal apparatus being wrecked.

#### Continued on Page 3.

## SHORT TALKS IN THE HOUSE

### Naval Appropriation Bill Debated by Sections Under the Five-Minute Rule.

Washington, Feb. 12.—The house went into committee of the whole today for the consideration of the naval appropriation bill by sections under the five-minute rule.

A point of order was made and sustained against the provision giving an additional grade to those officers who served with credit in the regular or volunteer forces during the civil war prior to June 3, 1865, and were retired prior to June 30, 1899, on account of wounds, disability incident to the service, or age, or after forty years of service.

Mr. Kitchin, of North Carolina, offered an amendment providing that no part of the appropriation in the bill shall be expended for coal in the Philippine Islands, or the transportation of coal to the islands except to the lowest bidder in either case.

Mr. Foss, of Illinois, chairman of the naval affairs committee, stated that he was in favor of the amendment, as it only applied to the present bill and not to any permanent law.

Mr. Lusk, of Pennsylvania, said that the bill was a good one, and that it would leave the country in a better financial condition than it was in when it was introduced. He said that the bill was a good one, and that it would leave the country in a better financial condition than it was in when it was introduced.

The amendment was defeated, 34 to 51.

### Parliament of the Netherlands Defeats the War Budget and Thus Forces Resignations.

The Hague, Feb. 12.—At the opening of the sitting of the second chamber of The Netherlands parliament today Dr. De Meester, the acting premier and minister of finance, announced that the ministers had tendered their resignation to the queen in consequence of the rejection of his estimates. The chamber then adjourned.

The rejection, Feb. 9, by the first chamber of the states general of the war budget, because of the abolition by the minister of war of the long service term for the militia, led to a cabinet crisis. The conflict of the cabinet with the House of Representatives led to the resignation of War Minister Staal to relieve the country of some of its public financial burdens by a reorganization of the military forces. His policy has been strongly opposed by the Catholics and the Conservatives, who contend that it would leave the country financially prostrate, and both on the eastern frontier and western coast.

ment on the ground that it dealt a blow at American shipping interests.

Mr. Foss remarked that the matter was taken too seriously and that in view of the fact the navy could not purchase coal enough carried in American bottoms it was thought wise to try the experiment.

The amendment was defeated, 34 to 51.

## SALT LAKE ELKS HAVING THE TIME OF THEIR LIVES AT LOS ANGELES

(Special to The Herald.)

Los Angeles, Feb. 12.—Six hundred Utah Elks are having a gay time tonight in town, where Chinese new year is being celebrated. They came here this morning, were immediately taken over the "balloon route" to Hollywood, the Sol-diers Home and the beach cities, and they are getting an insight into Oriental life. Amid the din of exploding firecrackers and bombs and the noisy tom-toms thou-

### ROOSEVELT FAVORS EXCLUSION OF JAPS

Washington, Feb. 12.—Late tonight it was stated that President Roosevelt, after being through Secretary Root, has proposed to Speaker Cannon and to the committee on immigration and other Republican leaders in congress that a clause inserted in the immigration bill now pending in congress which will bar Japanese coolies from labor from the United States. Mayor Schmitz's delegation favors such a provision.

## HOUSE ASKS SECRETARY HITCHCOCK TO GIVE AUTHORITY FOR HIS ACTION

(Special to The Herald.)

Washington, Feb. 12.—Representative Mondell today introduced a resolution, which was adopted, asking Secretary Hitchcock to report to the house by what authority of law he issued orders on Jan. 26 and other dates under which 64,000,000 acres of public lands in various western states and territories were withdrawn from entry, and under which all public lands in Alaska were withdrawn from all forms of entry, filing, and selection.

The house public lands committee has completed the draft of a bill repealing the present coal land law and substi-

### MANY SICK MINERS.

Larabie, Pa., Feb. 12.—Following closely upon a typhoid fever epidemic at Bradville and Snyder Town, near here, many miners are ill and the closing of the coal mines in the vicinity is threatening.